

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

BRIAN SPURLOCK; STEVEN MITCHELL;  
ADAM HUNGER; THOMAS RUSSO; GREG  
COOPER; STEWART MILNE; NOAH MURRAY;  
IAN RUTHERFORD; STEVEN FLYNN; JAMES E.  
BROWN; and MARK ZEROF,

*Plaintiffs,*

v.

THOMSON REUTERS AMERICA  
CORPORATION; ADOBE INC.; SIPA PRESS,  
INC.; MAINSTREAM DATA, INC. d/b/a  
NEWSCOM; TT NEWS AGENCY; NTB  
SCANPIX; SCANPIX BALTICS; SCANPIX  
DENMARK; PRESSE SPORTS; IMAGEGLOBE  
d/b/a BELGA IMAGE; REAL TIME IMAGES; and  
JOHN DOE COMPANIES 1-10,

*Defendants.*

No. 20-cv-09135-JPC

**ORAL ARGUMENT REQUESTED**

**NOTICE OF DEFENDANTS' MOTION TO DISMISS AND IN THE ALTERNATIVE  
FOR SUMMARY JUDGMENT, OR TO STAY PENDING ARBITRATION**

PLEASE TAKE NOTICE that, through their undersigned attorneys, Defendants Thomson Reuters America Corporation; Sipa Press, Inc.; and Adobe Inc. will move this Court before the Honorable John P. Cronan, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York, New York, for an order (i) dismissing the Complaint pursuant to Rule 12 of the Federal Rules of Civil Procedure; alternatively (ii) granting summary judgment in the moving Defendants' favor pursuant to Rule 56 of the Federal Rules of Civil Procedure on grounds of release; and alternatively (iii) staying this action, pursuant to the Court's inherent authority, pending the result of an arbitration commenced by Plaintiffs against non-party Imagin Content Services, LLC.

The grounds for this motion are more fully set forth in the accompanying Memorandum of Law.

Dated: May 10, 2021  
New York, New York

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